



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING  
December 19, 2011

Approved

Attending:

Board of Supervisors

Catherine A. Tomlinson, Chairperson  
Kevin C. Kerr, Vice-Chairperson  
Guy A. Donatelli, Member

Township Administration

Cary B. Vargo, Township Manager  
Gwen A. Jonik, Township Secretary  
Jill Bukata, Township Treasurer  
Al Gaspari, Codes Administrator  
Mike Heckman, Public Works Director  
Dave Leh, P.E., Gilmore & Associates

Mrs. Tomlinson called the meeting to order at 7:03 p.m., led the salute to the flag, and offered a moment of silence.

Approval of Minutes

Mr. Kerr moved, seconded by Mrs. Tomlinson to approve as presented the minutes of the November 15, 2011 Board of Supervisors Workshop and the November 21, 2011 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr moved, seconded by Mrs. Tomlinson to approve the payments to all vendors as listed November 22 through December 19, 2011. The Motion carried unanimously.

(Mr. Donatelli arrived)

Supervisors Report

Mrs. Tomlinson read the Emergency Services Provider Report: Ludwigs Corner Fire Company – 5 fire calls, 6 QRS calls; Lionville Fire Company – 7 fire calls; East Brandywine Fire Company – report delayed; Glenmoore Fire Company – 0 fire calls; Uwchlan Ambulance Corps – 31 calls; Teenaid – 4 calls; and the published calendar: December 26, 2011 Office closed; January 2, 2012 Office closed; January 3, 2012 (Tuesday) 7:00 p.m. Board of Supervisors Organizational Meeting; January 4, 2012 Wednesday – Christmas Tree, leaves, yard waste collection; January 10, 2012 4:00 p.m. Quarterly Joint Boards and Commissions Workshop; January 17, 2012 (Tuesday) 7:00 p.m. Board of Supervisors Meeting; January 18, 2012 Wednesday – Christmas Tree, leaves, yard waste collection.

Mrs. Tomlinson announced that the Board held an Executive Session this evening to interview Scott Nicely, who is interested in volunteering on the Township's Emergency Management Planning Commission and the Technology Advisory Board. Scott has experience as a fire-fighter and is employed in the I.T. industry; his knowledge and experiences will benefit both Boards. Mr. Kerr moved, seconded by Mr. Donatelli, to appoint Scott to both Boards and the Motion carried unanimously.

Township Administration Reports

Township Engineer's Report

Dave Leh reported that Toll Brothers submitted a conditional use plan for the Frame property in November, the Planning Commission reviewed the plan and Toll withdrew the application for

revisions; Hankin has submitted a conditional use application regarding building height for the Bentley project in Eagleview Corporate Center. The Planning Commission will review at their January 12 meeting.

#### Building/Codes Department

Al Gaspari reported that 25 permits were issued in November, totaling \$7,348 in fees. A flagpole has been installed at Fellowship Fields (Eagle Scout project) and shade trees have been planted at Hickory Park. Two new groups joined the "Adopt a Road" program this week – Universal Technical Institute (UTI) and Boy Scout Troop 220, who also adopted a trail. There are now 11 groups involved in Upper Uwchlan's "Adopt a Road" program.

#### Police Chief's Report

In Chief DeMarco's absence, Cary Vargo reported that during November there were 713 incidents, 20 crimes, 12 arrests (mostly DUIs). A new part-time Officer is going through the hiring process, the Department has received the \$6736.93 in Grant funds which were used to purchase 3 new computers for the Department; and a helpful hint over the Holidays is to be careful what you put out for the trash -- break down any cardboard boxes from large or valuable gifts received (i.e. TVs, computers, etc.).

#### Public Works Department

Mike Heckman reported that the Department's November activities included finishing the mowing season, base repairs, crack sealing, hauling cinders, tree trimming, replacing street signs (reflectivity), winterizing Hickory Park's irrigation lines, and responding to PA-1 calls. To our benefit, we've been hauling more cinders this year than last from West Chester University.

#### Administration

The employee Pension Plan contribution rate is stated annually, via Resolution. Mr. Kerr moved, seconded by Mr. Donatelli to adopt Resolutions #12-19-11-16 and #12-19-11-17 stating the Police and the Non-Uniformed Employee contribution rates for 2012. The Motion carried unanimously.

The Fee Schedule for 2012 included minimal increases in hourly rates for several Township Consultants and Solicitors. All other fees were unchanged. Mr. Kerr moved, seconded by Mr. Donatelli, to adopt Resolution #12-19-11-18, establishing the 2012 Fee Schedule. The Motion carried unanimously.

The Township annually states the Emergency Services Providers, via Resolution. Mr. Kerr moved, seconded by Mr. Donatelli to adopt Resolution #12-19-11-19 stating Lionville Fire Company, Ludwigs Corner Fire Company, East Brandywine Fire Company, Glenmoore Fire Company, Uwchlan Ambulance Corps and Teenaid as the Township's Emergency Services Providers. The Motion carried unanimously.

Cary Vargo explained the 2012 Budget (\$8,133,083) closely mirrors the 2011 Budget, and there is no change to the 1.034 tax millage rate. The Budget includes final payment of the trash/recycling carts, the Park Road / Turnpike pedestrian bridge and the adaptive traffic signal project. The Township has been awarded State Grants which will fund the majority of the bridge and traffic signal projects. Mr. Kerr moved, seconded by Mr. Donatelli, to adopt Resolution #12-19-11-20, establishing the 2012 Budget at \$8,133,083 and Tax Millage Rate at 1.034. The Motion carried unanimously.

The Board was asked to approve a 1-year extension of the traffic signal repair/maintenance contract with Higgins Electric. All Departments have been pleased with Higgins service over the

past 2 years. Mr. Kerr moved, seconded by Mr. Donatelli, to approve the 1-year contract extension. The Motion carried unanimously.

The Board was asked to approve the SPCA contract for 2012. The SPCA provides domestic animal control services by contract only. Mr. Donatelli moved, seconded by Mr. Kerr to approve the contract with the SPCA. The Motion carried unanimously.

Cary Vargo introduced a Mutual Aid Agreement for Upper Uwchlan to be a participating member of the Western Chester County Emergency Response Team – a collective effort of 9 Police Departments providing specialized service to the community. Our participation will benefit the Township as then these specialized services will be available to us in a more timely manner. Upper Uwchlan will have 1 Officer participating and a hostage negotiator. The Officers are already skilled in these particular areas of expertise. The 9 communities involved are East Brandywine, West Brandywine, Downingtown Borough, Caln, East Fallowfield, Parkesburg, Kennett Square, Coatesville, and Lincoln University (tentative). Mr. Kerr moved, seconded by Mr. Donatelli, to join the WCCERT and execute the Mutual Aid Agreement. The Motion carried unanimously.

#### Open Session

Mike Ponto of Seabury Lane made comment regarding the smell and noise from a neighbor's chickens and asked the Board to abandon their consideration of amending the Zoning Ordinance as it relates to the keeping of animals. Mr. Kerr explained the Board was responding to the Zoning Hearing Board's request to take a look at the subject from the perspective of a nationwide movement regarding keeping chickens as pets and self-sufficient food supply. The topic will be further discussed at the January 10, 2012 Supervisors' workshop and the Zoning Hearing Board may meet January 25, 2012.

Bruce McFarland of Turnstone Way commented the proposed Downingtown Schools 5<sup>th</sup>/6<sup>th</sup> grade center at the Shamona Creek Elementary School campus will negatively impact Upper Uwchlan via significant increase in traffic resulting in greater wear and tear on our roads. He also expressed concerned that Turnstone Way will be used as a shortcut, creating safety issues in the development and increase wear on that road. Mr. Kerr replied that since it is a school and located in another Township, Upper Uwchlan will provide comment to those agencies regarding the Traffic Study results.

Mr. McFarland commented on trenching on Township Line Road, inquired of the trail that was to run between Pondview Way and Eagleview Corporate Center, reported a pothole on Pennsylvania Drive and requested adjusting the evening timing of the left turn light from Route 100 onto Pennsylvania Drive. Mr. Gaspari commented the trenching was PECO upgrading electric lines, Mr. Vargo commented the trail is a part of the Bentley project approval and Mr. Heckman advised that adaptive traffic signal system is being installed in a few months.

#### Adjournment

There being no further business to be brought before the Board, Mrs. Tomlinson adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary